

AP/280

PTO/SB/21(08/00)

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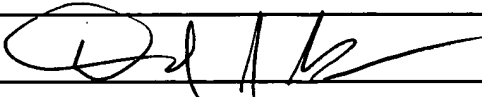
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

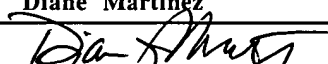
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MAR 05 2002

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	09/517,705
		Filing Date	March 2, 2000
		First Named Inventor	Chunlin Liang
		Group Art Unit	2811
		Examiner Name	Loke, S.
Total Number of Pages in This Submission	7	Attorney Docket Number	42390P5771D

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Return Postcard TC 2800 MAIL ROOM MAR - 7 2002 RECEIVED </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Daniel J. Burns, Reg. No. P-50,222 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	February 19, 2002

CERTIFICATE OF MAILING (OR TRANSMISSION)			
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:			
			February 19, 2002
Typed or printed name	Diane Martinez		
Signature		Date	02/19/02

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FEE TRANSMITTAL **for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 09/517,705
Filing Date 03/02/00
First Named Inventor Chunlin Liang, et al.
Examiner Name Loke, S.
Group Art Unit 2811
Attorney Docket Number 42390P5771D

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number
Deposit Account Name

02-2666

Blakely, Sokoloff, Taylor & Zafman

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application.
☐ Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

FEE CALCULATION

1. FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Extra Claims		Fee from below		Fee Paid
Total Claims	Extra Claims	Fee	Fee	
4	20**	0	18.00	\$0.00
1	3**	0	84.00	\$0.00

Multiple Dependent Claims =

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple Dependent claim
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater, For Reissues, see above

3. ADDITIONAL FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidably	
141	1,280	241	640	Petition to revive - unintentionally	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3) (\$)

SUBMITTED BY

Typed or Printed Name Daniel J. Burns, Reg. No. P-50,222

Registration No. (Attorney/Agent)

Telephone (310) 207-3800

Signature

Date

02/19/02

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Our Ref. No.: 042390P5771D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Chunlin Liang and Gang Bai

Serial No.: 09/517,705

Filed: March 2, 2000

For: **COMPLEMENTARY METAL GATE
ELECTRODE TECHNOLOGY**

Examiner: Loke, S.

Art Unit: 2811

7
Response
FJONES
3-14-02

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RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents

Box: AF

Washington, D.C. 20231

Dear Sir:

In response to the Final Office Action dated January 18, 2002, Applicants respectfully request consideration of the Remarks which follow.

REMARKS

In response to the above-identified Final Office Action, Applicants seek reconsideration thereof. In this Response, Claims 1-2 and 16-17 are pending.

I. Claims Rejected Under 35 U.S.C. §112, second paragraph

The Examiner rejects Claim 17 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Regarding Claim 17, the Examiner contends that it is unclear which materials have a work function corresponding to P-type silicon and which have a work function corresponding to N-type silicon. In response, Applicants note that the work function of the materials in Claim 17 are well-known to those in the art. As one example, see the table entitled Electron Work Functions of the Elements beginning on page E-89 in the *CRC Handbook of*

not OK

Chemistry and Physics (67th Ed.) Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 17.

II. Claims Rejected Under 35 U.S.C. § 102(b)

The Examiner rejects Claims 1-2 and 16 under 35 U.S.C. § 102(b) as being anticipated by Dash et al, U.S. Patent No. 4,399,605 ("Dash"). Applicants respectfully traverse this rejection.

In order to anticipate a claim, the relied upon reference must disclose every limitation of the claim. Among other limitations, Claim 1 recites that the first metal gate electrode and the second metal gate electrode are separately disposed in respective ones of the first area and the second area of the semiconductor substrate.

In making the rejection, the Examiner relies on Dash to show a circuit device comprising two metal gate electrodes 56 and 50. (See Dash, Fig. 9.) The Examiner argues that the first metal gate electrode (a portion of layer 56 formed above channel region 52) and the second metal gate electrode 50 are separately disposed in respective ones of a first area (P-type region 52) and a second area (N-type region 54) of the semiconductor substrate. However, Applicants note that metal gate electrode 56 is formed above both P-type region 52 and N-type region 54 of the semiconductor substrate since the conductive line 56 acts as the gate electrode for the N channel transistor and as a contact with the platinum silicide gate electrode 50 of the P channel transistor. (See Dash, Fig. 9, col. 4, lines 17-21.) Thus, Dash fails to teach or suggest that the first metal gate electrode and the second metal gate electrode are separately disposed in respect of ones of a first area and a second area of the semiconductor substrate.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent Claim 1. Claims 2 and 6 depend from Claim 1. As such, the dependent claims are not anticipated for at least the same reasons as Claim 1.

III. Claims Rejected under 35 U.S.C. §103(a)

The Examiner rejects Claim 17 under 35 U.S.C. §103(a) as being obvious over Dash. Applicants respectfully traverse this rejection.

The Examiner's obligation in making a *prima facie* case of obviousness requires the Examiner to show that the prior art, in combination, teaches or suggests all elements of the claimed invention. Applicants respectfully submit that the Examiner has failed to set forth a *prima facie* case of obviousness.

Claim 17 depends from independent Claim 1. As argued above, Dash fails to teach or suggest that the first metal gate electrode and the second metal gate electrode are separately disposed in respective ones of the first area and the second area of the semiconductor substrate.

Thus, Claim 17 is not anticipated for at least the same reasons as independent Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of Claim 17.

CONCLUSION

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: February 19, 2002

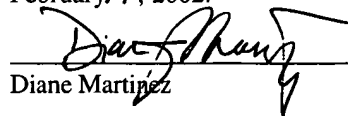


Daniel J. Burns; Reg. No. P-50,222

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Diane Martinez

February 19, 2002

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